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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/007,582	12/05/2001	Roy F. Brabson	RSW920010222US1	3561

7590 06/21/2006

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EXAMINER
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PAN, JOSEPH T

ART UNIT	PAPER NUMBER
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2135

DATE MAILED: 06/21/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

10/007,582

Applicant(s)

BRABSON ET AL.

Examiner

Joseph Pan

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 05 April 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 05 December 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

### DETAILED ACTION

1. Applicant's Pre-Appeal Conference Request filed on April 5, 2006 has been carefully considered by a Pre-Appeal Conference. The conferees agreed that Arrow et al. do not explicitly teach that the offloading component is controlled by the operating system. Thus the finality of the Office Action mailed on January 3, 2006 is now withdrawn. The Office regrets any inconvenience caused by withdrawal of rejection. Claims 1-20 are pending.

### ***Claim Rejections - 35 USC § 102***

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 1-20 are rejected under 35 U.S.C. 102(e) as being anticipated by Anand et al. (U.S. Patent No. 6,370,599 B1), hereinafter referred to as Anand.

#### Referring to claim 1:

Anand teach:

A method of improving security processing in a computing network, comprising:

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Providing a security offload component in an operating system kernel which performs security processing (see figure 2; and column 3, lines 13-60 of Anand);

Providing a control function in an operating system kernel for directing operation of the security offload component (see column 3, lines 32-36 of Anand);

Providing an application program (see abstract, lines 20-28 of Anand);

Executing the application program (see abstract, lines 20-28 of Anand);

and

Executing the provided control functions during execution of the application program, thereby directing the security offload component to secure at least one communication of the executing application program (see abstract, lines 20-28 of Anand).

Referring to claim 2:

Anand teach the claimed subject matter: a method of improving security processing in a computing network (see claim 1 above). Anand further disclose directing the security offload component to begin securing the communications (see column 3, lines 32-36 of Anand).

Referring to claim 3:

Anand teach the claimed subject matter: a method of improving security processing in a computing network (see claim 1 above). Anand further disclose directing the security offload component to stop securing the communications (see abstract, lines 26-28 of Anand).

Referring to claim 4:

Anand teach the claimed subject matter: a method of improving security processing in a computing network (see claim 1 above). Anand further disclose specifying information to be used by the security offload component (see column 10, lines 43-63 of Anand).

Referring to claim 5:

Anand teach the claimed subject matter: a method of improving security processing in a computing network (see claim 1 above). Anand further disclose the

specified information including the specified encryption key, and other predefined data (see column 10, line 64 to column 11, line 12 of Anand).

Referring to claims 6-7, 16, 20:

Anand teach the claimed subject matter: a method of improving security processing in a computing network (see claim 1 above). Anand further disclose modifying outbound data in preparation for use by the security offload component (see column 10, lines 43-63 of Anand).

Referring to claim 8:

Anand teach the claimed subject matter: a method of improving security processing in a computing network (see claim 1 above). Anand further disclose the certificates (see column 2, lines 55-60; and column 10, line 64, to column 11, line 12 of Anand).

Referring to claim 9:

Anand teach the claimed subject matter: a method of improving security processing in a computing network (see claim 1 above). Anand further disclose the encryption key (see column 10, line 64 to column 11, line 12 of Anand).

Referring to claim 10:

Anand teach the claimed subject matter: a method of improving security processing in a computing network (see claim 1 above). Anand further disclose the encryption algorithm (see column 10, lines 2-4 of Anand).

Referring to claim 11:

Anand teach the claimed subject matter: a method of improving security processing in a computing network (see claim 1 above). Anand further disclose that the secured outbound data of the executing application is thereby sent to its destination directly from the security offload component, after a single path over a data bus from a protocol stack of the operating system (see figure 3; and abstract, lines 20-28 of Anand).

Referring to claim 12:

Anand teach:

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A system for improving security processing in a computing network, comprising:

A security offload component in an operating system kernel which performs security processing (see figure 2; and column 3, lines 13-60 of Anand);

At least one control function in the operating system kernel for directing operation of the security offload component (see column 3, lines 32-36 of Anand);

Means for executing the at least one provided control function (see abstract, lines 20-28 of Anand); and

Means, responsive to operation of the means for executing, for directing the security offload component to secure at least one communication of an application program (see abstract, lines 20-28 of Anand).

Referring to claim 13:

Anand teach:

A computer program product for improving security processing in a computing network, the computer program product embodies on at least one computer-readable media and comprising:

A security offload component in an operating system kernel which performs security processing (see figure 2; and column 3, lines 13-60 of Anand);

At least one control function in the operating system kernel for directing operation of the security offload component (see column 3, lines 32-36 of Anand);

Computer-readable program code for executing the at least one provided control function (see column 3, lines 32-36 of Anand); and

Computer-readable program code, responsive to operation of the computer-readable program code for executing, for directing the security offload component to secure at least one communication of an application program (see abstract, lines 20-28 of Anand).

Referring to claims 14, 18:

Anand teach the claimed subject matter: a system of improving security processing in a computing network (see claim 12 above). Anand further disclose

directing the security offload component to begin securing the communications (see column 3, lines 32-36 of Anand).

Referring to claims 15, 19:

Anand teach the claimed subject matter: a system of improving security processing in a computing network (see claim 12 above). Anand further disclose directing the security offload component to stop securing the communications (see abstract, lines 26-28 of Anand).

Referring to claim 17:

Anand teach the claimed subject matter: a system of improving security processing in a computing network (see claim 12 above). Anand further disclose that the secured outbound data of the executing application is thereby sent to its destination directly from the security offload component, after a single path over a data bus from a protocol stack of the operating system (see figure 3; and abstract, lines 20-28 of Anand).

***Conclusion***

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Joseph Pan whose telephone number is 571-272-5987.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kim Vu can be reached at 571-272-3859. The fax and phone numbers for the organization where this application or proceeding is assigned is 571-273-8300

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 571-272-2100.

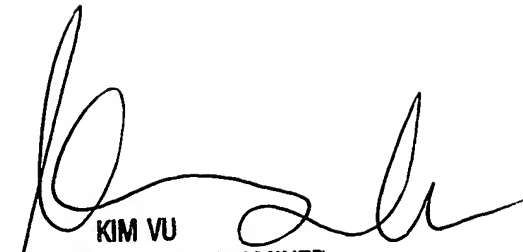
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Joseph Pan

June 16, 2005



KIM VU  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2100